

238.17 **ARTICLE 15**

238.18 **SALVAGE AND PRIOR SALVAGE TITLE BRANDS**

238.19 Section 1. Minnesota Statutes 2020, section 168A.01, is amended by adding a subdivision

238.20 to read:

238.21 Subd. 16b. **Recovered intact vehicle.** "Recovered intact vehicle" means a vehicle that

238.22 was:

238.23 (1) verified by the vehicle insurer to be stolen and declared a total loss; and

238.24 (2) subsequently recovered with damage that is not in excess of 80 percent of its value

238.25 immediately before it was stolen.

238.26 Sec. 2. Minnesota Statutes 2020, section 168A.01, subdivision 17b, is amended to read:

238.27 Subd. 17b. **Salvage vehicle.** (a) "Salvage vehicle" means a vehicle ~~that has a salvage~~

238.28 ~~certificate of title~~ (1) for which an insurance company has declared a total loss or paid a

238.29 total loss claim, or (2) that has been involved in a collision or other event in which the cost

239.1 of repairs exceeds 80 percent of the value of the vehicle immediately before the damage

239.2 occurred.

239.3 (b) Salvage vehicle does not include a recovered intact vehicle.

239.4 Sec. 3. Minnesota Statutes 2020, section 168A.04, subdivision 1, is amended to read:

239.5 Subdivision 1. **Contents.** The application for the first certificate of title of a vehicle or

239.6 manufactured home in this state, or for reissuance of a certificate of title for a manufactured

239.7 home under section 168A.142, ~~shall must~~ be made by the owner to the department on the

239.8 form prescribed by the department and ~~shall must~~ contain:

239.9 (1) the first, middle, and last names, the dates of birth, and addresses of all owners who

239.10 are natural persons, the full names and addresses of all other owners;

239.11 (2) a description of the vehicle or manufactured home including, so far as the following

239.12 data exists, its make, model, year, identifying number in the case of a vehicle or serial

239.13 number in the case of a manufactured home, type of body, and whether new or used;

239.14 (3) the date of purchase by applicant, the name and address of the person from whom

239.15 the vehicle or manufactured home was acquired, the names and addresses of any secured

239.16 parties in the order of their priority, and the dates of their respective security agreements;

239.17 (4) with respect to motor vehicles subject to the provisions of section 325E.15, the true

239.18 cumulative mileage registered on the odometer or that the actual mileage is unknown if the

239.19 odometer reading is known by the owner to be different from the true mileage;

239.20 (5) ~~with respect to vehicles subject to section 325F.6641, whether the vehicle sustained~~

239.21 ~~damage by collision or other occurrence which exceeded 70 percent of the actual cash value~~

239.22 ~~that meets the disclosure requirements under section 325F.6641, subdivision 1; and~~

146.11 **ARTICLE 9**

146.12 **SALVAGE AND PRIOR SALVAGE TITLE BRANDS**

146.13 Section 1. Minnesota Statutes 2020, section 168A.01, is amended by adding a subdivision

146.14 to read:

146.15 Subd. 16b. **Recovered intact vehicle.** "Recovered intact vehicle" means a vehicle that

146.16 was:

146.17 (1) verified by the vehicle insurer to be stolen and declared a total loss; and

146.18 (2) subsequently recovered with damage that is not in excess of 80 percent of its value

146.19 immediately before it was stolen.

146.20 Sec. 2. Minnesota Statutes 2020, section 168A.01, subdivision 17b, is amended to read:

146.21 Subd. 17b. **Salvage vehicle.** (a) "Salvage vehicle" means a vehicle ~~that has a salvage~~

146.22 ~~certificate of title~~ (1) for which an insurance company has declared a total loss or paid a

146.23 total loss claim, or (2) that has been involved in a collision or other event in which the cost

146.24 of repairs exceeds 80 percent of the value of the vehicle immediately before the damage

146.25 occurred.

146.26 (b) Salvage vehicle does not include a recovered intact vehicle.

147.1 Sec. 3. Minnesota Statutes 2020, section 168A.04, subdivision 1, is amended to read:

147.2 Subdivision 1. **Contents.** The application for the first certificate of title of a vehicle or

147.3 manufactured home in this state, or for reissuance of a certificate of title for a manufactured

147.4 home under section 168A.142, ~~shall must~~ be made by the owner to the department on the

147.5 form prescribed by the department and ~~shall must~~ contain:

147.6 (1) the first, middle, and last names, the dates of birth, and addresses of all owners who

147.7 are natural persons, the full names and addresses of all other owners;

147.8 (2) a description of the vehicle or manufactured home including, so far as the following

147.9 data exists, its make, model, year, identifying number in the case of a vehicle or serial

147.10 number in the case of a manufactured home, type of body, and whether new or used;

147.11 (3) the date of purchase by applicant, the name and address of the person from whom

147.12 the vehicle or manufactured home was acquired, the names and addresses of any secured

147.13 parties in the order of their priority, and the dates of their respective security agreements;

147.14 (4) with respect to motor vehicles subject to the provisions of section 325E.15, the true

147.15 cumulative mileage registered on the odometer or that the actual mileage is unknown if the

147.16 odometer reading is known by the owner to be different from the true mileage;

147.17 (5) ~~with respect to vehicles subject to section 325F.6641, whether the vehicle sustained~~

147.18 ~~damage by collision or other occurrence which exceeded 70 percent of the actual cash value~~

147.19 ~~that meets the disclosure requirements under section 325F.6641, subdivision 1; and~~

239.23 (6) any further information the department reasonably requires to identify the vehicle
 239.24 or manufactured home and to enable it to determine whether the owner is entitled to a
 239.25 certificate of title, and the existence or nonexistence and priority of any security interest in
 239.26 the vehicle or manufactured home.

239.27 Sec. 4. Minnesota Statutes 2020, section 168A.04, subdivision 4, is amended to read:

239.28 Subd. 4. **Vehicle last registered out of state.** If the application refers to a vehicle last
 239.29 previously registered in another state or country, the application ~~shall~~ must contain or be
 239.30 accompanied by:

239.31 (1) any certificate of title issued by the other state or country;

240.1 (2) any other information and documents the department reasonably requires to establish
 240.2 the ownership of the vehicle and the existence or nonexistence and priority of any security
 240.3 interest in it;

240.4 (3) the certificate of a person authorized by the department that the identifying number
 240.5 of the vehicle has been inspected and found to conform to the description given in the
 240.6 application, or any other proof of the identity of the vehicle the department reasonably
 240.7 requires; and

240.8 (4) ~~with respect to vehicles subject to section 325F.6641, whether the vehicle sustained~~
 240.9 ~~damage by collision or other occurrence which exceeded 70 percent of actual cash value~~
 240.10 ~~that meets the disclosure requirements under section 325F.6641, subdivision 1. Damage,~~
 240.11 ~~for the purpose of this the calculation under this clause, does not include the actual cost~~
 240.12 ~~incurred to repair, replace, or reinstall inflatable safety restraints and other vehicle~~
 240.13 ~~components that must be replaced due to the deployment of the inflatable safety restraints.~~

240.14 Sec. 5. Minnesota Statutes 2020, section 168A.05, subdivision 3, is amended to read:

240.15 Subd. 3. **Content of certificate.** (a) Each certificate of title issued by the department
 240.16 ~~shall~~ must contain:

240.17 (1) the date issued;

240.18 (2) the first, middle, and last names and the dates of birth of all owners who are natural
 240.19 persons, and the full names of all other owners;

240.20 (3) the residence address of the owner listed first if that owner is a natural person or the
 240.21 address if that owner is not a natural person;

240.22 (4) the names of any secured parties, and the address of the first secured party, listed in
 240.23 the order of priority (i) as shown on the application, or (ii) if the application is based on a
 240.24 certificate of title, as shown on the certificate, or (iii) as otherwise determined by the
 240.25 department;

240.26 (5) any liens filed pursuant to a court order or by a public agency responsible for child
 240.27 support enforcement against the owner;

147.20 (6) any further information the department reasonably requires to identify the vehicle
 147.21 or manufactured home and to enable it to determine whether the owner is entitled to a
 147.22 certificate of title, and the existence or nonexistence and priority of any security interest in
 147.23 the vehicle or manufactured home.

147.24 Sec. 4. Minnesota Statutes 2020, section 168A.04, subdivision 4, is amended to read:

147.25 Subd. 4. **Vehicle last registered out of state.** If the application refers to a vehicle last
 147.26 previously registered in another state or country, the application ~~shall~~ must contain or be
 147.27 accompanied by:

147.28 (1) any certificate of title issued by the other state or country;

147.29 (2) any other information and documents the department reasonably requires to establish
 147.30 the ownership of the vehicle and the existence or nonexistence and priority of any security
 147.31 interest in it;

148.1 (3) the certificate of a person authorized by the department that the identifying number
 148.2 of the vehicle has been inspected and found to conform to the description given in the
 148.3 application, or any other proof of the identity of the vehicle the department reasonably
 148.4 requires; and

148.5 (4) ~~with respect to vehicles subject to section 325F.6641, whether the vehicle sustained~~
 148.6 ~~damage by collision or other occurrence which exceeded 70 percent of actual cash value~~
 148.7 ~~that meets the disclosure requirements under section 325F.6641, subdivision 1. Damage,~~
 148.8 ~~for the purpose of this the calculation under this clause, does not include the actual cost~~
 148.9 ~~incurred to repair, replace, or reinstall inflatable safety restraints and other vehicle~~
 148.10 ~~components that must be replaced due to the deployment of the inflatable safety restraints.~~

148.11 Sec. 5. Minnesota Statutes 2020, section 168A.05, subdivision 3, is amended to read:

148.12 Subd. 3. **Content of certificate.** (a) Each certificate of title issued by the department
 148.13 ~~shall~~ must contain:

148.14 (1) the date issued;

148.15 (2) the first, middle, and last names and the dates of birth of all owners who are natural
 148.16 persons, and the full names of all other owners;

148.17 (3) the residence address of the owner listed first if that owner is a natural person or the
 148.18 address if that owner is not a natural person;

148.19 (4) the names of any secured parties, and the address of the first secured party, listed in
 148.20 the order of priority (i) as shown on the application, or (ii) if the application is based on a
 148.21 certificate of title, as shown on the certificate, or (iii) as otherwise determined by the
 148.22 department;

148.23 (5) any liens filed pursuant to a court order or by a public agency responsible for child
 148.24 support enforcement against the owner;

240.28 (6) the title number assigned to the vehicle;

240.29 (7) a description of the vehicle including, so far as the following data exists, its make,
 240.30 model, year, identifying number, type of body, whether new or used, and if a new vehicle,
 240.31 the date of the first sale of the vehicle for use;

241.1 (8) with respect to a motor vehicle subject to section 325E.15, (i) the true cumulative
 241.2 mileage registered on the odometer or (ii) that the actual mileage is unknown if the odometer
 241.3 reading is known by the owner to be different from the true mileage;

241.4 (9) if applicable, one or more of the following:

241.5 (i) with respect to a vehicle subject to sections ~~325F.6641~~ 168A.151 and 325F.6642, the
 241.6 appropriate ~~term~~ brand "flood damaged," ~~rebuilt~~, "salvage," "prior salvage," or
 241.7 "reconstructed";

241.8 ~~(10)~~ (ii) with respect to a vehicle contaminated by methamphetamine production, if the
 241.9 registrar has received the certificate of title and notice described in section 152.0275,
 241.10 subdivision 2, paragraph (g), the ~~term~~ brand "hazardous waste contaminated vehicle"; and

241.11 ~~(11)~~ (iii) with respect to a vehicle subject to section 325F.665, the ~~term~~ brand "lemon
 241.12 law vehicle"; and

241.13 ~~(12)~~ (10) any other data the department prescribes.

241.14 (b) For a certificate of title on a vehicle that is a restored pioneer vehicle:

241.15 (1) the identifying number must be the valid identifying number as provided under
 241.16 section 168A.04, subdivision 5;

241.17 (2) the year of the vehicle must be the year of original vehicle manufacture and not the
 241.18 year of restoration; and

241.19 (3) the title must not bear a "reconstructed vehicle" brand.

241.20 Sec. 6. Minnesota Statutes 2020, section 168A.151, subdivision 1, is amended to read:

241.21 Subdivision 1. **Salvage titles and prior salvage brands.** (a) When an insurer, licensed
 241.22 to conduct business in Minnesota, acquires ownership of a ~~late-model or high-value~~ vehicle,
 241.23 ~~excluding a recovered intact vehicle, through payment of damages, the insurer shall~~ must:

241.24 (1) for a late-model or high-value vehicle, immediately apply for a salvage certificate
 241.25 of title that bears a "salvage" brand or shall stamp the existing certificate of title with the
 241.26 legend "SALVAGE salvage CERTIFICATE OF TITLE" in a manner prescribed by the
 241.27 department; or

241.28 (2) for a vehicle that is not subject to clause (1), immediately apply for a certificate of
 241.29 title that bears a "prior salvage" brand or stamp the existing certificate of title with "prior
 241.30 salvage" in a manner prescribed by the department.

148.25 (6) the title number assigned to the vehicle;

148.26 (7) a description of the vehicle including, so far as the following data exists, its make,
 148.27 model, year, identifying number, type of body, whether new or used, and if a new vehicle,
 148.28 the date of the first sale of the vehicle for use;

148.29 (8) with respect to a motor vehicle subject to section 325E.15, (i) the true cumulative
 148.30 mileage registered on the odometer or (ii) that the actual mileage is unknown if the odometer
 148.31 reading is known by the owner to be different from the true mileage;

148.32 (9) if applicable, one or more of the following:

149.1 (i) with respect to a vehicle subject to sections ~~325F.6641~~ 168A.151 and 325F.6642, the
 149.2 appropriate ~~term~~ brand "flood damaged," ~~rebuilt~~, "salvage," "prior salvage," or
 149.3 "reconstructed";

149.4 ~~(10)~~ (ii) with respect to a vehicle contaminated by methamphetamine production, if the
 149.5 registrar has received the certificate of title and notice described in section 152.0275,
 149.6 subdivision 2, paragraph (g), the ~~term~~ brand "hazardous waste contaminated vehicle"; and

149.7 ~~(11)~~ (iii) with respect to a vehicle subject to section 325F.665, the ~~term~~ brand "lemon
 149.8 law vehicle"; and

149.9 ~~(12)~~ (10) any other data the department prescribes.

149.10 (b) For a certificate of title on a vehicle that is a restored pioneer vehicle:

149.11 (1) the identifying number must be the valid identifying number as provided under
 149.12 section 168A.04, subdivision 5;

149.13 (2) the year of the vehicle must be the year of original vehicle manufacture and not the
 149.14 year of restoration; and

149.15 (3) the title must not bear a "reconstructed vehicle" brand.

149.16 Sec. 6. Minnesota Statutes 2020, section 168A.151, subdivision 1, is amended to read:

149.17 Subdivision 1. **Salvage titles and prior salvage brands.** (a) When an insurer, licensed
 149.18 to conduct business in Minnesota, acquires ownership of a ~~late-model or high-value~~ vehicle,
 149.19 ~~excluding a recovered intact vehicle, through payment of damages, the insurer shall~~ must:

149.20 (1) for a late-model or high-value vehicle, immediately apply for a salvage certificate
 149.21 of title that bears a "salvage" brand or shall stamp the existing certificate of title with the
 149.22 legend "SALVAGE salvage CERTIFICATE OF TITLE" in a manner prescribed by the
 149.23 department; or

149.24 (2) for a vehicle that is not subject to clause (1), immediately apply for a certificate of
 149.25 title that bears a "prior salvage" brand or stamp the existing certificate of title with "prior
 149.26 salvage" in a manner prescribed by the department.

- 242.1 (b) Within ten days of obtaining the title of a vehicle through payment of damages, an
 242.2 insurer must notify the department in a manner prescribed by the department.
- 242.3 ~~(b)~~ (c) Except as provided in section 168A.11, subdivision 1, a person ~~shall~~ must
 242.4 immediately apply for a salvage certificate of title that bears a "salvage" brand if the person
 242.5 acquires a damaged late-model or high-value vehicle ~~with an out-of-state title and the vehicle~~
 242.6 ~~that:~~
- 242.7 (1) ~~is a vehicle that~~ was acquired by an insurer through payment of damages;
 242.8 (2) ~~is a vehicle for which the~~ will incur a cost of repairs ~~that~~ exceeds the value of the
 242.9 damaged vehicle; ~~or~~
- 242.10 (3) has an out-of-state salvage certificate of title as proof of ownership; ~~or~~
 242.11 (4) bears the brand "damaged," "repairable," "salvage," or any similar term on the
 242.12 certificate of title.
- 242.13 (d) Except as provided in section 168A.11, subdivision 1, a person must immediately
 242.14 apply for a certificate of title that bears a "prior salvage" brand if the person acquires a
 242.15 damaged vehicle and:
- 242.16 (1) a "salvage" brand is not required under paragraph (c); and
 242.17 (2) the vehicle:
- 242.18 (i) bears the brand "damaged," "repairable," "salvage," "rebuilt," "reconditioned," or
 242.19 any similar term on the certificate of title; or
- 242.20 (ii) had a salvage certificate of title or brand issued at any time in the vehicle's history
 242.21 by any other jurisdiction.
- 242.22 ~~(e)~~ (e) A self-insured owner of a ~~late-model or high-value~~ vehicle that sustains damage
 242.23 by collision or other occurrence which exceeds 80 percent of its actual cash value ~~shall~~
 242.24 ~~must:~~
- 242.25 (1) for a late-model or high-value vehicle, immediately apply for a salvage certificate
 242.26 of title; that bears a "salvage" brand; or
- 242.27 (2) for a vehicle that is not subject to clause (1), immediately apply for a certificate of
 242.28 title that bears a "prior salvage" brand.
- 242.29 Sec. 7. Minnesota Statutes 2020, section 168A.152, subdivision 1, is amended to read:
- 242.30 Subdivision 1. **Certificate of inspection.** (a) A salvage certificate of title that bears a
 242.31 "salvage" brand or stamp authorizes the holder to possess, transport, and transfer ownership
 243.1 in a vehicle. A salvage certificate of title that bears a "salvage" brand or stamp does not
 243.2 authorize the holder to register a vehicle. A certificate of title must not be issued for a vehicle
 243.3 for which a salvage certificate of title has been issued unless

- 149.27 (b) Within ten days of obtaining the title of a vehicle through payment of damages, an
 149.28 insurer must notify the department in a manner prescribed by the department.
- 149.29 ~~(b)~~ (c) Except as provided in section 168A.11, subdivision 1, a person ~~shall~~ must
 149.30 immediately apply for a salvage certificate of title that bears a "salvage" brand if the person
 150.1 acquires a damaged late-model or high-value vehicle ~~with an out-of-state title and the vehicle~~
 150.2 ~~that:~~
- 150.3 (1) ~~is a vehicle that~~ was acquired by an insurer through payment of damages;
 150.4 (2) ~~is a vehicle for which the~~ will incur a cost of repairs ~~that~~ exceeds the value of the
 150.5 damaged vehicle; ~~or~~
- 150.6 (3) has an out-of-state salvage certificate of title as proof of ownership; ~~or~~
 150.7 (4) bears the brand "damaged," "repairable," "salvage," or any similar term on the
 150.8 certificate of title.
- 150.9 (d) Except as provided in section 168A.11, subdivision 1, a person must immediately
 150.10 apply for a certificate of title that bears a "prior salvage" brand if the person acquires a
 150.11 damaged vehicle and:
- 150.12 (1) a "salvage" brand is not required under paragraph (c); and
 150.13 (2) the vehicle:
- 150.14 (i) bears the brand "damaged," "repairable," "salvage," "rebuilt," "reconditioned," or
 150.15 any similar term on the certificate of title; or
- 150.16 (ii) had a salvage certificate of title or brand issued at any time in the vehicle's history
 150.17 by any other jurisdiction.
- 150.18 ~~(e)~~ (e) A self-insured owner of a ~~late-model or high-value~~ vehicle that sustains damage
 150.19 by collision or other occurrence which exceeds 80 percent of its actual cash value ~~shall~~
 150.20 ~~must:~~
- 150.21 (1) for a late-model or high-value vehicle, immediately apply for a salvage certificate
 150.22 of title; that bears a "salvage" brand; or
- 150.23 (2) for a vehicle that is not subject to clause (1), immediately apply for a certificate of
 150.24 title that bears a "prior salvage" brand.
- 150.25 Sec. 7. Minnesota Statutes 2020, section 168A.152, subdivision 1, is amended to read:
- 150.26 Subdivision 1. **Certificate of inspection.** (a) A salvage certificate of title that bears a
 150.27 "salvage" brand or stamp authorizes the holder to possess, transport, and transfer ownership
 150.28 in a vehicle. A salvage certificate of title that bears a "salvage" brand or stamp does not
 150.29 authorize the holder to register a vehicle. A certificate of title must not be issued for a vehicle
 150.30 for which a salvage certificate of title has been issued unless

243.4 (b) For a late-model or high-value vehicle with a certificate of title that bears a "salvage"
 243.5 brand or stamp, the commissioner must not issue a certificate of title that bears a "prior
 243.6 salvage" brand unless the application for title is accompanied by a certification of inspection
 243.7 in the form and content specified by the department ~~accompanies the application for a~~
 243.8 ~~certificate of title.~~

243.9 Sec. 8. Minnesota Statutes 2020, section 168A.152, subdivision 1a, is amended to read:

243.10 Subd. 1a. **Duties of salvage vehicle purchaser.** No salvage vehicle purchaser shall
 243.11 possess or retain a salvage vehicle which does not have a salvage certificate of title that
 243.12 bears a "salvage" or "prior salvage" brand. The salvage vehicle purchaser ~~shall~~ must display
 243.13 the salvage certificate of title upon the request of any appropriate public authority.

243.14 Sec. 9. Minnesota Statutes 2020, section 325F.662, subdivision 3, is amended to read:

243.15 Subd. 3. **Exclusions.** Notwithstanding the provisions of subdivision 2, a dealer is not
 243.16 required to provide an express warranty for a used motor vehicle:

243.17 (1) sold for a total cash sale price of less than \$3,000, including the trade-in value of
 243.18 any vehicle traded in by the consumer, but excluding tax, license fees, registration fees, and
 243.19 finance charges;

243.20 (2) with an engine designed to use diesel fuel;

243.21 (3) with a gross weight, as defined in section 168.002, subdivision 13, in excess of 9,000
 243.22 pounds;

243.23 (4) that has been custom-built or modified for show or for racing;

243.24 (5) that is eight years of age or older, as calculated from the first day in January of the
 243.25 designated model year of the vehicle;

243.26 (6) that has been produced by a manufacturer which has never manufactured more than
 243.27 10,000 motor vehicles in any one year;

243.28 (7) that has 75,000 miles or more at time of sale;

243.29 (8) that has not been manufactured in compliance with applicable federal emission
 243.30 standards in force at the time of manufacture as provided by the Clean Air Act, United
 243.31 States Code, title 42, sections 7401 through 7642, and regulations adopted pursuant thereto,
 244.1 and safety standards as provided by the National Traffic and Motor Safety Act, United
 244.2 States Code, title 15, sections 1381 through 1431, and regulations adopted pursuant thereto;
 244.3 or

244.4 (9) that has been issued a salvage certificate of title that bears a "salvage" brand or stamp
 244.5 under section 168A.151.

151.1 (b) For a late-model or high-value vehicle with a certificate of title that bears a "salvage"
 151.2 brand or stamp, the commissioner must not issue a certificate of title that bears a "prior
 151.3 salvage" brand or stamp unless the application for title is accompanied by a certification of
 151.4 inspection in the form and content specified by the department ~~accompanies the application~~
 151.5 ~~for a certificate of title.~~

151.6 Sec. 8. Minnesota Statutes 2020, section 168A.152, subdivision 1a, is amended to read:

151.7 Subd. 1a. **Duties of salvage vehicle purchaser.** No salvage vehicle purchaser shall
 151.8 possess or retain a salvage vehicle which does not have a salvage certificate of title that
 151.9 bears a "salvage" or "prior salvage" brand or stamp. The salvage vehicle purchaser ~~shall~~
 151.10 must display the salvage certificate of title upon the request of any appropriate public
 151.11 authority.

151.12 Sec. 9. Minnesota Statutes 2020, section 325F.662, subdivision 3, is amended to read:

151.13 Subd. 3. **Exclusions.** Notwithstanding the provisions of subdivision 2, a dealer is not
 151.14 required to provide an express warranty for a used motor vehicle:

151.15 (1) sold for a total cash sale price of less than \$3,000, including the trade-in value of
 151.16 any vehicle traded in by the consumer, but excluding tax, license fees, registration fees, and
 151.17 finance charges;

151.18 (2) with an engine designed to use diesel fuel;

151.19 (3) with a gross weight, as defined in section 168.002, subdivision 13, in excess of 9,000
 151.20 pounds;

151.21 (4) that has been custom-built or modified for show or for racing;

151.22 (5) that is eight years of age or older, as calculated from the first day in January of the
 151.23 designated model year of the vehicle;

151.24 (6) that has been produced by a manufacturer which has never manufactured more than
 151.25 10,000 motor vehicles in any one year;

151.26 (7) that has 75,000 miles or more at time of sale;

151.27 (8) that has not been manufactured in compliance with applicable federal emission
 151.28 standards in force at the time of manufacture as provided by the Clean Air Act, United
 151.29 States Code, title 42, sections 7401 through 7642, and regulations adopted pursuant thereto,
 151.30 and safety standards as provided by the National Traffic and Motor Safety Act, United
 152.1 States Code, title 15, sections 1381 through 1431, and regulations adopted pursuant thereto;
 152.2 or

152.3 (9) that has been issued a salvage certificate of title that bears a "salvage" brand or stamp
 152.4 under section 168A.151.

244.6 Sec. 10. Minnesota Statutes 2020, section 325F.6641, is amended to read:

244.7 **325F.6641 DISCLOSURE OF VEHICLE DAMAGE.**

244.8 Subdivision 1. **Prior damage disclosure.** (a) If a ~~late-model vehicle, as defined in~~
244.9 ~~section 168A.01, subdivision 8a,~~ has sustained damage by collision or other occurrence
244.10 which exceeds 80 percent of its actual cash value immediately prior to sustaining damage,
244.11 the seller must disclose that fact to the buyer, if the seller has actual knowledge of the
244.12 damage. The amount of damage is determined by the retail cost of repairing the vehicle
244.13 based on a complete written retail repair estimate or invoice.

244.14 (b) The disclosure required under this subdivision must be made in writing on the
244.15 application for title and registration or other transfer document, in a manner prescribed by
244.16 the registrar of motor vehicles. The registrar ~~shall revise~~ must design the certificate of title
244.17 form, including the assignment by seller (transferor) and reassignment by licensed dealer
244.18 sections of the form, the separate application for title forms, and other transfer documents
244.19 to accommodate this disclosure. ~~If the seller is a motor vehicle dealer licensed pursuant to~~
244.20 ~~section 168.27, the disclosure required by this section must be made orally by the dealer to~~
244.21 ~~the prospective buyer in the course of the sales presentation.~~

244.22 (c) ~~Upon transfer and application for title to a vehicle covered by this subdivision, the~~
244.23 ~~registrar shall record the term "rebuilt" on the first Minnesota certificate of title and all~~
244.24 ~~subsequent Minnesota certificates of title used for that vehicle.~~

244.25 Subd. 2. **Form of Disclosure requirements.** (a) If a motor vehicle dealer licensed under
244.26 section 168.27 offers a vehicle for sale in the course of a sales presentation to any prospective
244.27 buyer the dealer must provide a written disclosure and, except for sales performed online,
244.28 an oral disclosure of:

244.29 (1) prior vehicle damage as required under subdivision 1;

244.30 (2) the existence or requirement of any title brand under sections 168A.05, subdivision
244.31 3, 168A.151, 325F.6642, or 325F.665, subdivision 14, if the dealer has actual knowledge
244.32 of the brand; and

245.1 (3) if a motor vehicle, which is part of a licensed motor vehicle dealer's inventory, has
245.2 been submerged or flooded above the bottom dashboard while parked on the dealer's lot.

245.3 (b) If a person receives a flood disclosure as described in paragraph (a), clause (3),
245.4 whether from a motor vehicle dealer or another seller, and subsequently offers that vehicle
245.5 for sale, the person must provide the same disclosure to any prospective subsequent buyer.

245.6 (c) Written disclosure under this subdivision must be signed by the buyer and maintained
245.7 in the motor vehicle dealer's sales file in the manner prescribed by the registrar of motor
245.8 vehicles.

152.5 Sec. 10. Minnesota Statutes 2020, section 325F.6641, is amended to read:

152.6 **325F.6641 DISCLOSURE OF VEHICLE DAMAGE.**

152.7 Subdivision 1. **Prior damage disclosure.** (a) If a ~~late-model vehicle, as defined in section~~
152.8 ~~168A.01, subdivision 8a,~~ has sustained damage by collision or other occurrence which
152.9 exceeds 80 percent of its actual cash value immediately prior to sustaining damage, the
152.10 seller must disclose that fact to the buyer, if the seller has actual knowledge of the damage.
152.11 The amount of damage is determined by the retail cost of repairing the vehicle based on a
152.12 complete written retail repair estimate or invoice.

152.13 (b) The disclosure required under this subdivision must be made in writing on the
152.14 application for title and registration or other transfer document, in a manner prescribed by
152.15 the registrar of motor vehicles. The registrar ~~shall revise~~ must design the certificate of title
152.16 form, including the assignment by seller (transferor) and reassignment by licensed dealer
152.17 sections of the form, the separate application for title forms, and other transfer documents
152.18 to accommodate this disclosure. ~~If the seller is a motor vehicle dealer licensed pursuant to~~
152.19 ~~section 168.27, the disclosure required by this section must be made orally by the dealer to~~
152.20 ~~the prospective buyer in the course of the sales presentation.~~

152.21 (c) ~~Upon transfer and application for title to a vehicle covered by this subdivision, the~~
152.22 ~~registrar shall record the term "rebuilt" on the first Minnesota certificate of title and all~~
152.23 ~~subsequent Minnesota certificates of title used for that vehicle.~~

152.24 Subd. 2. **Form of Disclosure requirements.** (a) If a motor vehicle dealer licensed under
152.25 section 168.27 offers a vehicle for sale in the course of a sales presentation to any prospective
152.26 buyer, the dealer must provide a written disclosure and, except for sales performed online,
152.27 an oral disclosure of:

152.28 (1) prior vehicle damage as required under subdivision 1;

152.29 (2) the existence or requirement of any title brand under sections 168A.05, subdivision
152.30 3, 168A.151, 325F.6642, or 325F.665, subdivision 14, if the dealer has actual knowledge
152.31 of the brand; and

153.1 (3) if a motor vehicle, which is part of a licensed motor vehicle dealer's inventory, has
153.2 been submerged or flooded above the bottom dashboard while parked on the dealer's lot.

153.3 (b) If a person receives a flood disclosure as described in paragraph (a), clause (3),
153.4 whether from a motor vehicle dealer or another seller, and subsequently offers that vehicle
153.5 for sale, the person must provide the same disclosure to any prospective subsequent buyer.

153.6 (c) Written disclosure under this subdivision must be signed by the buyer and maintained
153.7 in the motor vehicle dealer's sales file in the manner prescribed by the registrar of motor
153.8 vehicles.

245.9 (d) The disclosure required in ~~this section~~ subdivision 1 must be made in substantially
 245.10 the following form: "To the best of my knowledge, this vehicle has has not sustained
 245.11 damage in excess of 80 percent actual cash value."

245.12 Sec. 11. Minnesota Statutes 2020, section 325F.6642, is amended to read:

245.13 **325F.6642 TITLE BRANDING.**

245.14 Subdivision 1. **Flood damage.** If the application for title and registration indicates that
 245.15 the vehicle has been classified as a total loss ~~vehicle~~ because of water or flood damage, or
 245.16 that the vehicle bears a "flood damaged" or similar brand, the registrar of motor vehicles
 245.17 ~~shall~~ must record the ~~term~~ brand "flood damaged" on the certificate of title and all subsequent
 245.18 certificates of title issued for that vehicle.

245.19 Subd. 2. **Total-loss Salvage vehicles.** (a) Upon transfer and application for title to all
 245.20 ~~total loss~~ vehicles for which the "salvage" brand is required under section 168A.151,
 245.21 subdivision 1, the registrar of motor vehicles ~~shall~~ must (1) record the ~~term~~ brand "~~prior~~
 245.22 salvage" on the first ~~Minnesota~~ certificate of title, and (2) subject to section 168A.152,
 245.23 record the brand "prior salvage" on all subsequent ~~Minnesota~~ certificates of title ~~used~~ issued
 245.24 for that vehicle.

245.25 (b) Notwithstanding paragraph (a), a "prior salvage" brand is not required for a recovered
 245.26 intact vehicle, as defined in section 168A.01, subdivision 16b.

246.10 Subd. 2a. **Prior salvage.** Upon application for title to all vehicles for which the "prior
 246.11 salvage" brand is required under section 168A.151, subdivision 1, the registrar of motor
 246.12 vehicles must record the brand "prior salvage" on the certificate of title and all subsequent
 246.13 certificates of title issued for that vehicle.

246.14 Subd. 2b. **Certain damaged vehicles.** Upon transfer and application for title to a vehicle
 246.15 that is subject to section 325F.6641, subdivision 1, the registrar of motor vehicles must (1)
 246.16 record the brand "salvage" on the first certificate of title, and (2) subject to section 168A.152,
 246.17 record the brand "prior salvage" on all subsequent certificates of title issued for that vehicle.

245.27 Subd. 3. **Out-of-state vehicles.** (a) Upon transfer and application for title of all repaired
 245.28 ~~vehicles with out-of-state titles that bear the term "damaged," "salvage," "rebuilt,"~~
 245.29 "~~reconditioned,~~" or any similar term, the registrar of motor vehicles shall record the term
 245.30 "prior salvage" on the first Minnesota certificate of title and all subsequent Minnesota
 245.31 certificates of title used for that vehicle.

246.1 (b) ~~The registrar shall mark "prior salvage" on the first Minnesota certificate of title and~~
 246.2 ~~all subsequent certificates of title issued for any vehicle which came into the state unrepaired~~
 246.3 ~~and for which a salvage certificate of title was issued.~~

246.4 (c) ~~For vehicles with out-of-state titles which bear the term "flood damaged," the registrar~~
 246.5 ~~of motor vehicles shall record the term "flood damaged" on the first Minnesota certificate~~
 246.6 ~~of title and all subsequent Minnesota certificates of title issued for that vehicle.~~

153.9 (d) The disclosure required in ~~this section~~ subdivision 1 must be made in substantially
 153.10 the following form: "To the best of my knowledge, this vehicle has has not sustained
 153.11 damage in excess of 80 percent actual cash value."

153.12 Sec. 11. Minnesota Statutes 2020, section 325F.6642, is amended to read:

153.13 **325F.6642 TITLE BRANDING.**

153.14 Subdivision 1. **Flood damage.** If the application for title and registration indicates that
 153.15 the vehicle has been classified as a total loss ~~vehicle~~ because of water or flood damage, or
 153.16 that the vehicle bears a "flood damaged" or similar brand, the registrar of motor vehicles
 153.17 ~~shall~~ must record the ~~term~~ brand "flood damaged" on the certificate of title and all subsequent
 153.18 certificates of title issued for that vehicle.

153.19 Subd. 2. **Total-loss Salvage vehicles.** (a) Upon transfer and application for title to all
 153.20 ~~total loss~~ vehicles for which the "salvage" brand is required under section 168A.151,
 153.21 subdivision 1, the registrar of motor vehicles ~~shall~~ must (1) record the ~~term~~ brand "~~prior~~
 153.22 salvage" on the first ~~Minnesota~~ certificate of title, and (2) subject to section 168A.152,
 153.23 record the brand "prior salvage" on all subsequent ~~Minnesota~~ certificates of title ~~used~~ issued
 153.24 for that vehicle.

153.25 (b) Notwithstanding paragraph (a), a "prior salvage" brand is not required for a recovered
 153.26 intact vehicle, as defined in section 168A.01, subdivision 16b.

153.27 Subd. 2a. **Prior salvage.** Upon application for title to all vehicles for which the "prior
 153.28 salvage" brand is required under section 168A.151, subdivision 1, the registrar of motor
 153.29 vehicles must record the brand "prior salvage" on the certificate of title and all subsequent
 153.30 certificates of title issued for that vehicle.

153.31 Subd. 2b. **Certain damaged vehicles.** Upon transfer and application for title to a vehicle
 153.32 that is subject to section 325F.6641, subdivision 1, the registrar of motor vehicles must (1)
 154.1 record the brand "salvage" on the first certificate of title, and (2) subject to section 168A.152,
 154.2 record the brand "prior salvage" on all subsequent certificates of title issued for that vehicle.

154.3 Subd. 3. **Out-of-state vehicles.** (a) Upon transfer and application for title of all repaired
 154.4 ~~vehicles with out-of-state titles that bear the term "damaged," "salvage," "rebuilt,"~~
 154.5 "~~reconditioned,~~" or any similar term, the registrar of motor vehicles shall record the term
 154.6 "prior salvage" on the first Minnesota certificate of title and all subsequent Minnesota
 154.7 certificates of title used for that vehicle.

154.8 (b) ~~The registrar shall mark "prior salvage" on the first Minnesota certificate of title and~~
 154.9 ~~all subsequent certificates of title issued for any vehicle which came into the state unrepaired~~
 154.10 ~~and for which a salvage certificate of title was issued.~~

154.11 (c) ~~For vehicles with out-of-state titles which bear the term "flood damaged," the registrar~~
 154.12 ~~of motor vehicles shall record the term "flood damaged" on the first Minnesota certificate~~
 154.13 ~~of title and all subsequent Minnesota certificates of title issued for that vehicle.~~

246.7 (d) the registrar shall mark "prior salvage" on the first Minnesota certificate of title and
 246.8 all subsequent certificates of title issued for any vehicle that had a salvage certificate of title
 246.9 issued at any time in the vehicle's history by any other jurisdiction.

246.18 Subd. 4. **Reconstructed vehicles.** For vehicles that are reconstructed within the meaning
 246.19 of section 168A.15, the registrar shall must record the term brand "reconstructed" on the
 246.20 certificate of title and all subsequent certificates of title.

246.21 Subd. 5. **Manner of branding.** The Each brand designation of "flood damaged," "rebuilt,"
 246.22 "prior salvage," or "reconstructed" under this section or section 168A.05, subdivision 3,
 246.23 168A.151, or 325F.665, subdivision 14, required on a certificate of title shall must be made
 246.24 by the registrar of motor vehicles in a clear and conspicuous manner, in a color format
 246.25 different from all other writing on the certificate of title.

246.26 Subd. 6. **Total loss vehicle; definition.** For the purposes of this section, "total loss
 246.27 vehicle" means a vehicle damaged by collision or other occurrence, for which a salvage
 246.28 certificate of title has been issued. Total loss vehicle does not include a stolen and recovered
 246.29 vehicle verified by the insurer who declared the vehicle to be a total loss vehicle unless
 246.30 there is more than minimal damage to the vehicle as determined by the registrar.

246.31 Subd. 7. **Dealer disclosure.** If a licensed motor vehicle dealer offers for sale a vehicle
 246.32 with a branded title, the dealer shall orally disclose the existence of the brand in the course
 246.33 of the sales presentation.

247.1 Subd. 8. **Flood damage; dealer lots.** If a motor vehicle, which is part of a licensed motor
 247.2 vehicle dealer's inventory, has been submerged or flooded above the bottom of the dashboard
 247.3 while parked on the dealer's lot, the dealer must disclose that fact in writing to any buyer
 247.4 and must orally disclose that fact in the course of a sales presentation to any prospective
 247.5 buyer. The buyer must also disclose the existence of the flood damage in writing to any
 247.6 subsequent buyer.

247.7 Sec. 12. Minnesota Statutes 2020, section 325F.665, subdivision 14, is amended to read:

247.8 Subd. 14. **Title branding.** (a) Upon transfer and application for title of all vehicles
 247.9 subject to this section, the registrar of motor vehicles shall record the term "lemon law
 247.10 vehicle" on the certificate of title and all subsequent certificates of title for that vehicle.

247.11 (b) For vehicles with out-of-state titles that bear the term "lemon law vehicle," or any
 247.12 similar term, the registrar of motor vehicles shall record the term "lemon law vehicle" on
 247.13 the first Minnesota certificate of title and all subsequent Minnesota certificates of title issued
 247.14 for that vehicle.

247.15 (c) The designation of "lemon law vehicle" on a certificate of title must be made by the
 247.16 registrar of motor vehicles in a clear and conspicuous manner, in a color different from all
 247.17 other writing on the certificate of title.

154.14 (d) the registrar shall mark "prior salvage" on the first Minnesota certificate of title and
 154.15 all subsequent certificates of title issued for any vehicle that had a salvage certificate of title
 154.16 issued at any time in the vehicle's history by any other jurisdiction.

154.17 Subd. 4. **Reconstructed vehicles.** For vehicles that are reconstructed within the meaning
 154.18 of section 168A.15, the registrar shall must record the term brand "reconstructed" on the
 154.19 certificate of title and all subsequent certificates of title.

154.20 Subd. 5. **Manner of branding.** The Each brand designation of "flood damaged," "rebuilt,"
 154.21 "prior salvage," or "reconstructed" under this section or section 168A.05, subdivision 3,
 154.22 168A.151, or 325F.665, subdivision 14, required on a certificate of title shall must be made
 154.23 by the registrar of motor vehicles in a clear and conspicuous manner, in a color format
 154.24 different from all other writing on the certificate of title.

154.25 Subd. 6. **Total loss vehicle; definition.** For the purposes of this section, "total loss
 154.26 vehicle" means a vehicle damaged by collision or other occurrence, for which a salvage
 154.27 certificate of title has been issued. Total loss vehicle does not include a stolen and recovered
 154.28 vehicle verified by the insurer who declared the vehicle to be a total loss vehicle unless
 154.29 there is more than minimal damage to the vehicle as determined by the registrar.

154.30 Subd. 7. **Dealer disclosure.** If a licensed motor vehicle dealer offers for sale a vehicle
 154.31 with a branded title, the dealer shall orally disclose the existence of the brand in the course
 154.32 of the sales presentation.

155.1 Subd. 8. **Flood damage; dealer lots.** If a motor vehicle, which is part of a licensed motor
 155.2 vehicle dealer's inventory, has been submerged or flooded above the bottom of the dashboard
 155.3 while parked on the dealer's lot, the dealer must disclose that fact in writing to any buyer
 155.4 and must orally disclose that fact in the course of a sales presentation to any prospective
 155.5 buyer. The buyer must also disclose the existence of the flood damage in writing to any
 155.6 subsequent buyer.

155.7 Sec. 12. Minnesota Statutes 2020, section 325F.665, subdivision 14, is amended to read:

155.8 Subd. 14. **Title branding.** (a) Upon transfer and application for title of all vehicles
 155.9 subject to this section, the registrar of motor vehicles shall record the term "lemon law
 155.10 vehicle" on the certificate of title and all subsequent certificates of title for that vehicle.

155.11 (b) For vehicles with out-of-state titles that bear the term "lemon law vehicle," or any
 155.12 similar term, the registrar of motor vehicles shall record the term "lemon law vehicle" on
 155.13 the first Minnesota certificate of title and all subsequent Minnesota certificates of title issued
 155.14 for that vehicle.

155.15 (c) The designation of "lemon law vehicle" on a certificate of title must be made by the
 155.16 registrar of motor vehicles in a clear and conspicuous manner, in a color different from all
 155.17 other writing on the certificate of title.

- 247.18 Sec. 13. **REPEALER.**
- 247.19 Minnesota Statutes 2020, sections 168A.01, subdivision 17a; and 325F.6644, are repealed.
- 247.20 Sec. 14. **EFFECTIVE DATE.**
- 247.21 Unless specified otherwise, this article is effective January 1, 2023.

- 155.18 Sec. 13. **REPEALER.**
- 155.19 Minnesota Statutes 2020, sections 168A.01, subdivision 17a; and 325F.6644, are repealed.
- 155.20 Sec. 14. **EFFECTIVE DATE.**
- 155.21 This article is effective January 1, 2023.